

**Town of Superior
Town Council
Regular Meeting**

**Thursday, June 7, 2007
Superior Senior Center
Superior, Arizona**

M I N U T E S

A. Call to Order

Mayor Hing called the meeting to order at 7:05 p.m.

B. Salute to the Flag

Mayor Hing led the Town Council, staff and the audience in the Pledge to the Flag.

C. Opening Prayer

Mayor Hing led the Town Council, staff and the audience in a brief opening prayer.

D. Roll Call

Members Present: Mayor Hing, Councilmember Valenzuela, Councilmember Cervantes, Councilmember Heglie, Councilmember Lopez, Councilmember Marquez, Councilmember Peralta (present on dais after being sworn in)

A quorum was established and the meeting continued.

E. Proclamation

Mayor Hing announced that Senator Trent from Wyoming has created this national day of the Cowboy and that all cities and governments were encouraged to support the Day of the Cowboy. Mayor Hing read the proclamation and explained that the actual day of the Cowboy was set for July 28, 2007. Mayor Hing announced to the council and the public that an event to commemorate this day was being planned at the arboretum.

F. Consent Agenda

Mayor Hing introduced the items on the consent agenda. The items on the consent agenda for approval were the Minutes from May 17, 2007, Regular Meeting; the Minutes from May 30, 2007, Special Meeting; and disbursements from May 1-May 29, 2007 in the amount of \$308,364.07.

Mayor Hing asked Ms. Cordova why the disbursements were submitted for approval. Ms. Cordova explained that this procedure allows the Mayor and Council to approve all the disbursements.

Mayor Hing requested approval of the consent agenda and asked to abstain on the approval of disbursements of check numbers 17347, 17362, 18006, 18039, and 18084. He explained that those checks were paid to his business Save Money Market and would abstain from approving those disbursements due to conflict of interest.

Councilmember Heglie also recommended approval of the disbursements but asked to abstain on check number 17373 as it was made out to his business, Café Piedra Roja.

Councilmember Lopez made a motion to approve the consent agenda. Councilmember Marquez seconded the motion. The motion was approved unanimously.

F. Communications

1. Summer Recreation Program Cost – Josie Campos

Ms. Cordova gave the report on behalf of Ms. Campos. Ms. Cordova reported that the total price for the program which includes salary and supplies would cost \$3,300.05. She briefly reviewed the programs that would be offered and explained that residents could sign up at the library or town hall.

2. Request for Proposals for Air Ambulance Service – James Gray

Ms. Cordova and Mr. Gray reported on this agenda item. They explained that the advertising for the request for proposals for air ambulance was done and the deadline was June 29. Mr. Gray explained that every air ambulance service received a letter advertising the opportunity and that one service has requested the deadline to submit proposals be extended by 45 days, which would extend the closing date to the end of July.

Mayor Hing and the council discussed what the service would provide as far as infrastructure and development of the pad and living quarters.

1. Animal Control Process – Chief Lou Digirolamo

Chief Digirolamo gave a presentation on the animal control process. He explained that the Animal Control Officer works Monday thru Friday 8:00 a.m. to 5:00 p.m. and does not work on call should a report be made after those hours. However a report is made and every attempt is made to find the animals the next business day. Chief Digirolamo explained that should an animal be vicious both the police department and animal control will be dispatched.

Chief Digirolamo explained that once a dog is impounded the owner must pay \$10.00 a day impound fee plus a \$2.50 a day for the dogs expenses such as food and water. He explained that if the animal is not claimed by its owner within 5 days any resident can claim the dogs and pay the fees to own the dog. If no one claims the dog the dog will be put to sleep. He also reported that residents can be cited for not having control of their animals and once the resident is cited the person will either have to pay fines to the Clerk or they can contest the citation with the City Magistrate.

Chief Digirolamo, Mayor Hing and the council discussed the possibility of having a dog round up day working with the county, residents and public works to round up the stray dogs.

1. Fire Station Design – Rosie Cordova

Ms. Cordova explained that she has talked with the Architect of the fire station Mr. Gomez and he has promised to have the revisions to her before the Town Council meeting however they did not arrive. She explained that she will continue to contact him to remedy this situation.

1. WiFi Celebration – Mila Lira

Ms. Lira gave an update on the WiFi project. She announced that the event is open to the public and would be held June 13, 2007 at 2:00 p.m. She explained that she would need the assistance of the Public Works crew to assemble the canopies and also transport various pieces of equipment from around town to the event location. She also requested 24-hour security from the Police Department on the Tuesday before event as the tent and equipment will be set up. Ms. Lira reviewed the guest list and the menu for event. She encouraged everyone to attend the event and remind their friend, family and neighbors about the wire cutting celebration.

Mayor Hing explained his excitement about the event and encouraged everyone to attend.

1. Legal Opinion on Conflict of Interest

Mayor Hing explained that Mr. Beers' response to the conflict of interest was in the council packet. There were no further questions or comments.

A. Call to the Public

There were no comments from the public.

A. Business

Possible Discussion and/or action on the following

1. Induction and Swearing-in Ceremony for new Council Members – Rosie Cordova

Mayor Hing announced the swearing in ceremony for the incumbent Councilmember Olga Lopez and Councilmember Lynn Heglie and new Councilmember Soyla Peralta. Judge Larry Bravo administered the oath of office. After taking the oath, Councilmember Peralta took her seat at the dais. Mayor Hing welcomed and congratulated the councilmembers and asked them to say a few words. Councilmember Peralta thanked everyone for their support. Councilmember Heglie thanked everyone for their support and explained that he sees a lot of opportunity for Superior. Councilmember Lopez also thanked everyone for their support and explained that they all have a lot of work to do in this next term.

1. Discuss/Approve/Reject Appointment of new members for Planning and Zoning Commission – Mayor Hing

Mayor Hing explained that there are two seats currently open on the planning and zoning commission he reported that there are three applicants. He asked each of the three candidates to get up and introduce themselves and explain why they want to be on the Planning and Zoning commission. The three candidates are Barbara Duncan, Bob Fields, and Charlene Orlick. Each candidate introduced themselves and explained their background in the community, why they should be chosen for the commission, how they feel about changes to the general plan as well as if they are available to make a full commitment to the commission.

After the candidates gave their introductions the Mayor and Council discussed the process of how planning and zoning commission positions should be filled. Ms. Cordova explained that there should be a system in place for all boards and commissions. The Mayor and Council directed Ms. Cordova to work with other cities and towns to find out about their policies regarding filling boards and commissions. Councilmember Lopez made a motion to table this item pending more information. Councilmember Marquez seconded the motion. The motion was approved unanimously.

1. Discuss/Approve/Reject Award of bid for Park Improvement Project with CDBG funding – Mayor Hing

Ms. Patel with the Central Arizona Association of Governments explained that the town would need to select the contractor for the CDBG Food Court/Restroom/Bandshell project on Main St. Ms. Patel also explained that the lowest bid for the project came in at \$256,000 however they were only funded for \$254,000 she reminded the council that often time the administration dollars were not completely used and could be moved into project dollars; however, once the administration monies are used for the actual construction they can not be moved back into the administration funding.

Councilmember Cervantes asked what qualifications the contractors have and if their references are checked with the state board of contractors. Ms. Patel assured the Mayor and Council that the contractors are checked for any complaints and that they are licensed by the State for government contracts.

Ms. Patel explained that the contractor that met the requirements and also came in as the lowest bidder was Caymus Corporation of Tempe, Arizona. She explained that in order for the project to continue to flow they would need to sign the contract and award it during this council meeting.

Councilmember Heglie made a motion to award the contract to Caymus Corporation. Councilmember Peralta seconded the motion. During the question period Councilmember Valenzuela requested that the contract be awarded only with verbiage that would allow penalties to be charged should the project timelines not be met. Ms. Patel explained that the contract does have penalties associated with not meeting timelines. Councilmember Heglie

accepted the request. Councilmember Heglie agreed and asked that the contract be awarded with penalties to be charged if timelines are not met. The motion was unanimously approved.

1. Discuss/Approve/Reject authorizing staff to purchase second ambulance – James Gray

Mr. Gray explained that the Fire Department had applied for a grant for a new ambulance but the grant was not awarded. He explained that a used ambulance could be used since the town needs a second ambulance. He reported that the ambulance would cost \$40,000 a year to lease and some of the equipment could be moved off of other equipment that the Fire Department operates.

Mr. Grey explained that currently the town only has one ambulance that is equipped and able to transport patients out of town. He also explained that if that ambulance is out on a call and another emergency arises they have to call in Southwest Ambulance to service the call and when that occurs the town loses revenue.

Mayor Hing and the Council discussed the options of buying a used or new ambulance. Discussion followed on the mileage and age of the ambulance. Mr. Grey explained that a used ambulance would serve the town for now as a back up should the current ambulance be out of town or need repairs. Mr. Grey explained that a vote by the council tonight would authorize the Fire Department to begin looking to purchase a used ambulance. He explained that the department would thoroughly review any purchase and make sure the vehicle is a quality vehicle.

Councilmember Cervantes made a motion to authorize the fire department to purchase a used ambulance with the necessary paperwork. Councilmember Lopez seconded the motion. The motion was approved unanimously.

1. Discuss/Approve/Reject Ordinance No.92. An ordinance of the Mayor and Council amending the town code of the Town of Superior, Pinal County, Arizona, deleting section 11-2-3 use of coasters, roller skates, and similar devices restricted and adding a new section 11-2-3 use of coasters, roller skates, skateboards, and similar devices restricted.

- a. First Reading by Title only**
- b. Approval**

Ms. Cordova explained that the ordinance was prepared by Mr. Beers the Town's attorney. She explained that the ordinance would need to be read and the first reading would need to be approved with a final approval being made as a second motion.

Mayor Hing explained that safety is the main concern and he understands the kids who enjoy skateboarding have rights but the town must consider the safety for everyone. He explained that the town does need a safe place for kids to skate. He explained that the skateboarding restriction would be for the sidewalks from Lime to Main on Magma and sidewalks on Main St.

Ms. Cordova gave the first reading of the ordinance. Councilmember Heglie made a motion to approve the first reading of the ordinance. Councilmember Lopez seconded the motion. The motion was unanimously approved.

Councilmember Heglie made a motion to approve the ordinance. Councilmember Lopez seconded the motion. The motion was approved unanimously.

I. Council Comments

Councilmember Peralta

Thanked everyone for their support and explained that she is getting her feet wet.

Councilmember Cervantes

Welcomed Ms. Peralta to the council.

Councilmember Heglie

Welcomed Ms. Peralta to the council.

Councilmember Marquez

Councilmember Marquez explained that he had a call from a resident who wanted more information on the Sister City project as well as a foreign student exchange. He explained that he found out the city could not pay for the trip to start the project and private donations would need to be made. He explained that Mesa has nine sister cities from all over the world.

Councilmember Lopez

Encouraged everyone to attend the Annexation meeting on Wednesday, June 13, 2007. She also thanked Mila Lira for her coordination of the WiFi event.

Councilmember Valenzuela

Thanked Josie and the Recreation Committee for coordinating the summer recreation program. He also recommended that the town get rid of Mr. Gomez as the architect on the fire station project. He also congratulated the 2007 Superior High School graduates.

Mayor Hing

Reported that CAAG has submitted a letter with an intent to vacate the building they are renting from the town. He also referenced a letter he received regarding the police department and crime.

He thanked Mila Lira for her work on the WiFi celebration and explained that this project would have a huge impact on the community and other communities were looking to implement this type of project in their community. He encouraged everyone to attend the event.

Mayor Hing also reported on the groundbreaking of the Gonzales Pass project. He explained that the project has taken over 10 years to get to this stage. He explained that construction would begin in July with an expected completion date of October 2008

Mayor Hing announced that there were items on the Executive Session Agenda. He asked for a motion to move into executive session. Councilmember Lopez made a motion to move into executive session. Councilmember Cervantes seconded the motion. The motion was approved unanimously. Mayor Hing explained that everyone would need to vacate the building for the executive session.

J. Executive Session

K. In Public Session

Executive Session Discussion

Mr. Beers explained that the town could face a potential withholding of state shared revenues because the town did not hold elections to approve the use of home rule. He explained that the town could either reduce the budget by 1.16 million or pay a penalty of \$137,000.

A. Adjournment

Councilmember Peralta made a motion to adjourn the meeting. Councilmember Lopez seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:15 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Superior held on the 7th Day of June 2007. I further certify that the meeting was duly called and held and that a quorum was present.

Rosie Cordova /s/ _____
Rosie Cordova
Town Manager/Clerk

These minutes have been transcribed and complied by Mila Lira

Miracle Executive Services, www.miracleexecutiveservices.com.